UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/241,335	02/01/1999	XINZHONG LEON XU	99-P-7449-US	8596

7590 07/27/2004	EXAMINER
SIEMENS CORPORATION	ESCALANTE, OVIDIO
INTELLECTUAL PROPERTY DEPARTMENT	

ART UNIT	PAPER NUMBER
2645	

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ISELIN, NJ 08830

DATE MAILED: 07/27/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.		Applicant(s)
Office Action Summary	09/241,335		XU, XINZHONG LEON
	Examiner		**Art Unit**
	Ovidio Escalante		2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 May 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12,14-21 and 23-26* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12,14-21 and 23-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *18*.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is in response to applicant's amendment filed on May 14, 2004. **Claims 1-**

12,14-21 and 23-26 are now pending in the present application.

Information Disclosure Statement

2.   The information disclosure statement submitted on May 14, 2004 was received. The

submission is in compliance with the provisions of 37 CFR 1.97. Accordingly the information

disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

3.   The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

4.   Claims 1-6,8,9,14-19 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by

Bjornberg et al. US Patent 6,647,111.

Regarding claim 1, Bjornberg teaches an interactive voice response system, (col. 2, lines

42-55), comprising:

a plurality of general-purpose blocks (primitive SIBBs; col. 9, lines 37-50), each general

purpose block being coupled to at least one other general purpose block (fig. 5; col. 9, lines 37-

50; each common SIBB can connect to each other), wherein each general-purpose block plays a

prompt (col. 12, lines 5-10; e.g., if the general blocks are menu blocks, the block will prompt the

caller for a menu response) and is configurable to send a first signal (timeout_error or

input_error; fig. 7n) without requiring input after playing the prompt (col. 11, lines 42-47) or

send a second signal according to received input after playing the prompt (col. 12, lines 30-59;

col. 10, lines 59-67; menu selection prompt); and

a plurality of transfer blocks (col. 10, lines 49-67), each transfer block being coupled to a

general-purpose block (fig. 5; every menu block can have e.g. a call transfer block so that the

caller can be routed to the proper destination) to receive one of the first or second signals and is

configurable to transfer a call to a specified telephone number, (fig. 7d; col. 10, lines 49-67).

Regarding claims 2 and 3, Bjornberg teaches wherein each general-purpose block plays

a prompt by accessing at least a sound file and wherein the sound file accessed by each general-

purpose block can be configured, (fig. 6; col. 9, lines 26-35).

Regarding claims 4-6 and 17-19, Bjornberg teaches wherein if a general-purpose block

is configured to send the second signal according to received input, the general-purpose block

receives the input and wherein the general purpose-block receives the input by receiving a key or

string of keys which represent DTMF information, (col. 4, lines 26-36; col. 11, lines 41-49; col.

12, lines 6-10).

Regarding claim 8, Bjornberg teaches wherein the general-purpose block processes the

received input by selecting the second signal according to the received input, (col. 12, lines 6-

10).

Regarding claims 9-12 and 21, Bjornberg teaches wherein the general-purpose block

determines if there was an error in the received input, (fig. 7n; col. 12, lines 7-10).

Regarding claim 14, Bjornberg teaches wherein the second signal from a first general-

purpose block is received by a second general-purpose block, (col. 12, lines 6-10; menu selection

e.g. #1 in fig. 7n can allow the caller to go to a second menu block).

Regarding claims 15 and 23, Bjornberg teaches a method of generating an interactive

voice response application (abstract; col. 2, lines 42-55), comprising:

providing a plurality of general-purpose blocks (primitive SIBBs; col. 9, lines 37-50),

each general-purpose block being preconfigured to send signals to at least one other general-

purpose block, (col. 10, lines 59-67; col. 11, lines 42-47; col. 12, lines 30-59);

selecting a general purpose block, (fig. 6; col. 10, lines 4-24);

specifying a prompt that the selected general-purpose block will play, (fig. 6; col. 10,

lines 18-24);

specifying whether the selected general-purpose block will send a first signal without

requiring input after playing the prompt or send a second signal according to received input after

playing the prompt, (fig. 7d; col. 12, lines 30-59; col. 10, lines 4-34);

providing a plurality of transfer blocks (col. 10, lines 49-67) to receive one of the first or

second signals to transfer a call to a telephone number, (fig. 7d);

selecting a transfer block, (fig. 7d); and

specifying the telephone number for the selected transfer block, (col. 10, lines 49-67).

Regarding claim 16, Bjornberg teaches wherein specifying a prompt that the selected

general-purpose block will play includes specifying a file that stores the prompt, said prompt

being a sound message, (fig. 6; col. 9, lines 26-35; col. 10, lines 18-24).

5.   Claims 24-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Hammarström

et al. US Patent 6,044,142.

Regarding claim 24, Hammarström teaches a method of modifying an interactive voice

response system at run-time, (col. 2, lines 46-65; col. 3, lines 18-32; an operator will modify the

callers automated service by selecting and sequencing service script modules (i.e. SIBs; col. 2,

lines 2-5)), comprising:

executing the interactive voice response system, the system including a plurality of

general-purpose blocks (service independent building blocks; col. 2, lines 2-16) and a plurality of

transfer blocks that are configurable to transfer a call to a specified telephone number, (col. 3,

lines 47-67; col. 4, lines 18-24; col. 8, line 5);

modifying a configuration of a selected general-purpose block; and updating the

configuration of the selected general-purpose block at run-time, (col. 3, lines 58-64).

Regarding claim 25, Hammarström teaches wherein modifying a configuration of a

selected general-purpose block includes storing a configuration parameter in a database, (col. 3,

lines 58-67).

Regarding claim 26, Hammarström teaches wherein an object monitors the database and

sends a signal to the selected general-purpose block that the configuration has changed, (col. 8,

lines 9-18).

Claim Rejections - 35 USC § 103

6.   The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

7.   Claims 7,10-,12 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Bjornberg et al. US Patent 6,647,111 in view of Malik US Patent 6,463,130.

Regarding claims 7 and 20, Bjornberg, as applied above, does not teach of playing a no-

input prompt. However, Bjornberg suggest of indicating that no-input was received, therefore it

would have been obvious for one of ordinary skill in the art to play a no-input prompt so that the

user can be reminded to input a response.

Nonetheless, Malik teaches wherein the general-purpose block plays a no-input prompt if the general-purpose block does not receive the input within a predetermined amount of time, (col. 3, lines 33-36). One skilled in the art would have been motivated to play a no input prompt so that the caller can be alerted that an input is required if they did not hear the first prompt.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bjornberg by playing a no-input prompt as taught by Malik so that the calling party can be notified that an input is needed in order to progress through the call.

Regarding claims 10-12 and 21, while Bjornberg, as applied above, teaches of determining if there is an error in the input, Bjornberg does not teach of sending an error prompt if there was an error.

Malik teaches wherein the general-purpose block determines if their was an error in the received input, and wherein the general-purpose block continues receiving the input after the error prompt is played. Malik also teaches wherein the general-purpose block plays the prompt after the error prompt is played, (col. 3, lines 29-41).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bjornberg by determining errors in the input and playing an error prompt as taught by Malik so that the system can notify the caller that their input was not correct and can re-request that the caller re-enter their information.

Response to Arguments

8.   Applicant's arguments filed May 14, 2004 have been fully considered but they are not persuasive.

Regarding claims 1 and 15, Applicant contends that neither the timeout-error nor the

input_error of Bjornberg are a first signal that is sent without requiring input after playing a

prompt. The Examiner respectfully disagrees.

As disclosed above, in the office action, Bjornberg teaches of sending two different types

of signals (signal is read as the output line as shown in fig. 7n since the output line is signaling

the output of the block). The second signal is sent as a menu selection in response to a menu

option prompt. The first signal is e.g., a timeout-error signal which does not in itself require input

since timeout is sent when there is no input. The Examiner believes that since the figures shows

a timeout signal being sent and since the specification teaches that a timeout signal is sent when

there is no input then Bjornberg meets the first signal limitation.

Furthermore, the Examiner would like to point out that given the current format of the

claims i.e. the claim language of "only one of" and "or" for the two signals, then only one of the

signals have to be shown in order for the prior art to show anticipation. Therefore, the examiner

believes that since the prior art Bjornberg shows at least one (both in conjunction with the

arguments provided above) then the Bjornberg patent meets the claim

Regarding claim 10, Applicant contends that Bjornberg does not teach sending an error

prompt if there was an error in received input. The Examiner respectfully disagrees.

Bjornberg teaches that at least timeout_error and input-error signals are sent. Since the

claims do not specify who or what is receiving the prompt and since Bjornberg teaches that the

system receives the signal (prompt) then the Examiner believes that the Bjornberg anticipates

claim 10.

Regarding claims 24-26, Applicants contend that Hammarström does not disclose that the operator modifies SIBs nor that the configuration is updated at run-time as claimed. The Examiner respectfully disagrees.

The Examiner believes that Hammarström anticipates claim 24 in view of Applicant's arguments. Applicants contend that Hammarström does not teach, "modifying a configuration of a selected general-purpose block"; and" updating the configuration of the selected general-purpose block at run-time".

The Examiner respectfully disagrees since Hammarström teaches that SIBs are used to process a call and when a customer wants additional service then an operator can modify the SIBs so that the customer requested service can be setup. Since an operator is able to modify a customer's service by using SIBs and since the network is able to initiate the service in real time then the Examiner believes that Hammarström teaches of modifying a configuration of a selected general-purpose block; and updating the configuration of the selected general-purpose block at run time.

Conclusion

9.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

10.   Any response to this action should be mailed to:

        Commissioner for Patents

        P.O. Box 1450

        Alexandria, Virginia 22313-1450

    or faxed to:

        (703) 872-9306, (for formal communications intended for entry)
    Or:
        (703) 872-9306, (for informal or draft communications, please label

        "PROPOSED" or "DRAFT")

        Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal

        Drive, Arlington, VA, Sixth Floor (Receptionist).

11.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ovidio Escalante whose telephone number is 703-308-6262. The

examiner can normally be reached on M-F (6:30AM - 5:00PM).

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Fan S Tsang can be reached on 703-305-4895. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ovidio Escalante
Examiner
Group 2645
July 20, 2004

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